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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,522	03/04/2002	Patrick Peterson	01-4008	6624

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,522

Applicant(s)

PETERSON ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☒ Claim(s) 11-13, 17-19, and 20-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date # <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 11, 17, and 20 are objected to because of the following informalities: In the independent claims 11, 17 and 20 "an caller/agent" appears to be a typographical error. Appropriate correction is required.

All other dependent claims 12-13, 18-19, and 21-22 are objected to for the same reason discussed in the independent claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dhir et al (US PAT # 6,714,642).

Regarding claim 1, Dhir teaches a method for assessing a call center (see col. 3, lines 11-40), said method comprising the steps of: gathering and studying information regarding a call flow of the call center's interactive voice response (IVR) system (see col. 3, lines 27-31 and col. 9, lines 37-59); developing a coding sheet for the call center, the coding sheet summarizing a call to the call center (developing coding sheet reads on administrative controller system 115 in Fig. 1, which is responsible for generating reports that reflects the activities of calls in a call center, see col. 5, lines 38-46), including interactions between a caller and the IVR system (see col. 5, lines 58-65 and col. 8, lines 2-5) and interactions between the caller and a live agent (see col. 5, lines 28-37 and lines 65-67); tabulating a plurality of calls to the call center on the coding sheet based on notes and/or recordings of entire calls, from beginning to end (this simply reads on CRD that comprise the categories of short term data 200, long term data 210, customer profile data 215, account look up data 220, IVR transaction data 225, ...etc, see Fig. 2 col. 6, lines 45-51 and col. 5, lines 47-57); analyzing the tabulated coding sheet to determine areas of the IVR system that can be improved (this could be done at call center administrative system 304, which can modify operating parameters when needed, see col. 8, lines 56-61).

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Dhir does not specifically teach generating an analysis report itemizing the areas of the IVR system that can be improved and suggesting ways to improve those areas.

However, Dhir system recognizes the importance of providing accurate and efficient IVR system. Dhir system already mentioned the disadvantages of using VRU or IVR that does not allow the user to enter enough information, which might be helpful in routing the call to the right agent, see col. 9, lines 37-67 and col. 10, lines 1-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Dhir system generating an analysis report itemizing the areas of the IVR system that can be improved in order to enhance the efficiency of the call center plus provide the customers with better service, which give them a good satisfaction.

Claims 6 and 2 are rejected for the same reasons as discussed above with respect to claim 1.

Claim 3 recites the limitations of "analysis report generated in said generated step includes: noting whether a live agent performed functions that the IVR system can perform, noting whether a live agent performed functions that the IVR system can be re-designed to perform, noting whether and how a call was transferred to more than one agent, noting at what point a call is terminated, and noting timing information for each

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call". This basically read on the process of an incoming cal within a call center. Dhir teaches system and method fro servicing the call starting from the IVR/VRU first, entering the call in a call queue, and assigning the call to the right agent, ... etc.

Regarding claims 4 and 9, the claimed limitation of "analysis report generated in said generating step includes a suggestion to change a menu tree of the IVR system" is obvious. Since in the event of detecting an error or determining an area that needs an improvement, options of the IVR must be changed to reflect the new corrections or modifications.

Claims 5 and 10 are rejected for the same reasons as discussed above with respect to claim 4.

Regarding claims 7-8, Dhir teaches said tabulating step is performed from notes taken by an analyst during live calls, while the analyst is listening to the calls (this reads on call center administrative system 304 that is responsible for monitoring and recording the activities in the call center, see col. 8, lines 56-67 and col. 9, lines 1-15). Plus recording a conversation between a live agent and a customer within any call center is old and well known in the art. As a matter of fact, when you call to check your credit card balance, insurance, or purchasing items on the phone from a company, a recording prompt played stating, "Your call will be monitored for quality assurance, ...etc".

Regarding claims 11 and 14, Dhir teaches a method of assessing an automated call routing system's performance (see col. 3, lines 11-40), the routing system being structured to present a caller calling into the automated call routing system with a call that includes an interactive voice response (IVR) portion and (see col. 5, lines 58-63), at an option of the caller, an caller/agent dialog portion (see col. 5, lines 65-67), said method comprising the steps of: monitoring calls coming into the automated call routing system; recording end-to-end calls from among the calls coming into the automated call routing system (this basically reads on recording the entire call); transcribing a sequence of events for the recorded calls, including events occurring in the IVR portion (see col. 5, lines 58-65 and col. 8, lines 2-5) and in the caller/agent dialog portion (see col. 5, lines 28-37 and lines 65-67), to identify predetermined call events of interest; analyzing the transcribed calls to infer a complete event sequence of each of the recorded calls; and calculating parameters corresponding to cost effectiveness and usability of the automated call routing system , based at least in part upon information provided to the caller during the IVR portion (see col. 9, lines 52-59).

Claims 12, 15, 17-18, and 20-21 are rejected for the same reasons as discussed above with respect to claim 11. Also see col. 3, lines 7-10.

Regarding claims 13, 16, 19 and 22, Dhir teaches recording step occurs at a site remotely located from the automate call routing system (304 in Fig. 3, which is

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responsible for monitoring is remotely located from the VRU /IVR which is not shown in Fig. 3, see col. 8, lines 32-61).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pattison et al (US PAT # 6,058,163) teaches method and system for monitoring call center service representative (see abstract).

Welner et al (US PAT # 5,509,064) teaches a system and method that record previous calls placed to the system. Recorded calls will be placed in database with some remarks and noted that goes along with each call (see abstract).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha S Al-Aubaidi

06/04/2004



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
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